

FILED

FEB 05 2014

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

GILBERT MIKE MELENDEZ

CASE NUMBER:

W14-25M

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about February 5, 2014, in McLennan County, in the Western District of Texas, defendant(s), unlawfully, knowingly, and intentionally did possess with intent to distribute a controlled substance, which offense involved a mixture or substance containing methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section(s) 841(a)(1) and 841(b)(1)(C).

I further state that I am a(n) Investigator, Waco Police Department, Drug Enforcement Unit, and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

continued on the attached sheet and made a part hereof: YES

*R. D. Moore*

R. D. MOORE, Investigator  
Waco Police Department, Drug Enforcement Unit

Sworn to before me and subscribed in my presence,

February 5, 2014

Date

Jeffrey C. Manske

U.S. Magistrate Judge

Name & Title of Judicial Officer

Waco, Texas

City and State

*Jeffrey C. Manske*

Signature of Judicial Officer

### AFFIDAVIT

Affiant R. D. Moore is a police officer with the City of Waco, assigned to the Drug Enforcement Unit. Affiant has approximately 30 years experience in law enforcement, and has worked the last 28 years in the Drug Enforcement Unit as a Narcotics Investigator. Affiant has conducted numerous investigations of methamphetamine conspiracies and has executed numerous search warrants at methamphetamine laboratories. Affiant is familiar based on his training and experience with the business of the illegal distribution and manufacture of methamphetamine. The following information was provided to Affiant by other law enforcement officers and personal knowledge.

On February 5, 2014, Waco Police Department executed a search warrant on a vehicle and residence in Waco, which is located within the Waco Division of the Western District of Texas. The target of the warrant was **GILBERT MIKE MELENDEZ**. Law enforcement stopped the vehicle, a 1997 GMC pickup, in the area of 27<sup>th</sup> and Grim in Waco. **MELENDEZ** was the driver and sole occupant of the vehicle. **MELENDEZ** was Mirandized prior to any questioning by law enforcement. After acknowledging his legal rights, he agreed to speak to the police. He told Inv. Darryl Moore that he had between 7-8 ounces of "ice" in the truck and directed them as to its location. They also located scales, plastic baggies and a .380 automatic firearm with three (3) rounds in the vehicle, with one in the chamber and two in the clip. The statement by **MELENDEZ** was recorded by Inv. Moore.

During the execution of the search warrant at the residence, officers located a small quantity of methamphetamine. Investigation revealed that **MELENDEZ** is on parole until 2022.

In the training and experience of Inv. Moore, the amount of methamphetamine possessed is an amount for distribution, not for personal use.

*R. D. Moore*

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R. D. MOORE, Investigator  
Waco Police Department, Drug Enforcement Unit

SUBSCRIBED AND SWORN TO BEFORE ME this the 5th day of February, 2014.

*Jeffrey C. Manske*

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JEFFREY C. MANSKE  
UNITED STATES MAGISTRATE JUDGE